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TO: TECHNOLOGY CENTER 3700
ATTN: EXAMINER LIEN M. NGO

FAX NUMBER: (703) 305-3579

FROM: Julie K. Morriss

DATE: March 10, 2004

SUBJECT: Serial No. 09/826,765

FILE NO.: 1525.CHIS.PT

NO. OF PAGES
TO FOLLOW: 8

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DOCKET NO.: MOFF-3618

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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MAR 10 2004

Applicant: Alan Graftan

Examiner: Moy, Joseph Man

Serial No.: 10/294,924

Art Unit: 3727

Filed: 11/14/2002

OFFICIAL

For: CONVERTIBLE CARGO BOX-BED LINER FOR SPORTS UTILITY VEHICLE,
VAN, OR PICK-UP TRUCKCommissioner for Patents
Washington D.C. 20231Response to Restriction Requirement

Sir:

In response to the Restriction Requirement dated February 11, 2004, Applicant respectfully submits that Figures 4 and 5 are not different species, but are the same embodiment in different phases. Since Figures 4 and 5 are the same species, applicant may not make an election. Therefore, applicant respectfully requests reconsideration and withdrawal of the species election requirement.

Page 3 of the specification, in the Brief Description of the Drawings, clearly states that "Figure 4 is a front perspective view of the convertible cargo box-bed liner of Figure 1 in a partially converted state," and that "Figure 5 is a front perspective view of the convertible cargo box-bed liner of Figure 1 in its bed liner state."

The Detailed Description of the Drawings, page 4, paragraph 3, further clarifies that "Figure 4 shows the box-bed liner apparatus in partially expanded position." Figure 5 shows the apparatus in its fully expanded position. The transformation is described in the Detailed Description of the Drawings, page 6, paragraph 5, which gives detailed instructions for opening the apparatus to "form an extended and flat bottom for the bed liner apparatus 1." Respectfully,

since no separate species are present, applicant cannot elect.

In response to your inquiry regarding whether page 5, paragraph 4, "In an alternative embodiment, hinges 14 and 16 are not included...", applies to Figure 5, this paragraph does not apply to Figure 5, rather, it applies to an embodiment that is not shown. Figure 5 represents the apparatus with hinges in its fully extended state.

With regard to the Restriction Requirement, Applicant respectfully submits that the election requirement be reconsidered and withdrawn.

Should the Examiner require or request anything further from Applicant prior to examination, the Examiner is requested to contact Applicants' undersigned representative at the telephone number below. Otherwise, Applicant requests early and favorable examination on the merits.

Dated: March 10, 2004



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